

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH A. ELLIOTT, SR.,	:	CIVIL ACTION NO. 1:04-CV-1101
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
SUPERINTENDENT DONALD	:	
VAUGHN, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of March 2006, upon consideration of plaintiff's motion to voluntarily dismiss his appeal (Doc. 116), and it appearing that the United States Court of Appeals for the Third Circuit has dismissed the appeal (Doc. 123) for failure to pay the requisite filing and docketing fees, it is hereby ORDERED that the motion is DENIED as moot.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge